



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

87-268

June 12, 1996

OFFICE OF
THE CHAIRMAN

RECEIVED

DOCKET FILE COPY ORIGINAL

JUN 27 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dr. Dmitry A. Novik
4621 Clark Place, N.W.
Washington, DC 20007

Dear Dr. Novik:

Thank you for your letter, dated April 9, 1996, concerning your new TV technology, called *Digital Stereo Compatible TV*. You indicate that your technology should be considered as an alternative to the digital technology developed by the Grand Alliance.

As you may know, the Commission on May 9, 1996, adopted a *Fifth Notice of Proposed Rule Making* looking towards the consideration of a new digital television broadcast standard. While the Commission is proposing to adopt the Advanced Television System Committee (ATSC) digital television (DTV) standard developed by the Grand Alliance, we have made no final decisions and seek comment on other possibilities that would provide greater benefits to the American people.

As I believe Mr. Smith the Chief of our Office of Engineering and Technology has indicated, the best way to influence the Commission's consideration of a new digital broadcast standard is to participate in the process. I therefore encourage you to comment in our digital TV rule making. To help you send us your views, I have enclosed a copy of our Notice which includes instructions on how to file comments.

Please be assured that your technical papers have been reviewed carefully by the staff of our Office of Engineering and Technology and our Mass Media Bureau. To ensure that your ideas can be considered by the public, your two technical papers, *Digital Stereo Compatible TV (DSC TV)* and *Video Publication Service - A New Interactive TV Public Service* have been placed into the public record of this proceeding.

Sincerely,

Reed E. Hundt
Chairman

Enclosure

Dr. Dmitry A. Novik
4621 Clark Pl., NW
Washington, D.C. 20007
tel: (202)-333-8956

April 9, 1996

Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Dear Chairman:

Beforehand thanks for your personal reading of this letter.

I was advised to appeal to you directly by Dr. Lionel S. John, Associate Director for Technology and Mr. John Foster, general counsel of the Office of Science and Technology Policy of the Executive Office of the President as the result of their consideration of my letter to Dr. Lionel S. John from April 7, 1996 (I attached the copy of this letter).

It's the story.

I was lucky to invent a new TV technology, the *Digital Stereo Compatible TV (DSC TV)*, and for some well grounded and motivated reasons I decided not to apply for the patent but rather to donate this innovative TV technology to the United States. The letter with such decision accompanied by White Paper "*Digital Stereo Compatible TV (DSC TV) - the Future TV Standard*" (7 pages), initially describing this new TV technology, I sent September 12, 1995 to the President of the United States of America (I attached the copy of this letter to the President).

Erroneously this letter and accompanied White Paper were forwarded to the Office of the Commissioner of Patents and Trademarks for reply. In the letter signed by the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks Mr. Bruce A. Lehman October 27, 1995 Mr. Bruce A. Lehman informed me, particularly, that "each Federal or state department or agency is responsible for deciding whether or not it has any interest in ideas or inventions that might be useful in carrying out its mission".

Because a new Digital Stereo **Compatible** TV may be considered as the alternative to the **Incompatible** HDTV, and because such incompatible HDTV was intensively debated as the issue of the technology policy, as the future USA TV Standard I decided to contact the Office of Science and Technology Policy of the Executive Office of the President. In my conversation with Dr. Laura Philips from this Office November 3, 1995 Dr. Philips confirmed that my letter to the President was erroneously forwarded to the Patent and Trademarks Office, and that after review of my materials in the Office of Science and Technology Policy these material will be forwarded to your FCC. At this point time I

conveyed to Dr. Philips my second White Paper "Video publication Service - A New Interactive TV Public Service" (7 pages) initially describing an innovative TV technology and service.

Finally, I received the letter signed January 18, 1996 by Associate Director for Technology from the Office of Science and Technology Policy Dr. Lionel S. Johns in which he informed me, particularly, that "I am forwarding your White Papers on to Dr. Richard Smith at the FCC where he will examine them in greater detail. I am sure that he will be able to determine if the government has an appropriate role for your invention. As you know, television technology is undergoing dramatic changes and the FCC will be best able to understand and evaluate the potential contribution of your new TV technology."

Then I contacted and met with Dr. Richard Smith. The promising first meeting February 27, 1996, unfortunately, later on was transformed to some gridlock. The whole set of events starting from the first meeting with Dr. Richard Smith is described in my letter to Dr. Lionel S. Johns from April 7, 1996 (I attached the copy of this letter).

It is not any doubt in my mind that you will be able to brake this gridlock.

I would like to note also that, as you well know, eight major computer and software companies voiced publicly their strong opposition to the proposed digital HDTV system on the base of its incompatibility. My **digital compatible stereo TV** system adds to this debate beyond simply opposition to the **digital incompatible HDTV** the constructive alternative for a serious consideration. I wish to think that such consideration will take place - it is never to late to consider thorough the constructive alternative to avoid wrong decision.

With the best wishes for your leadership, I'm

Sincerely,

Dmitry A. Novik

Copy

Dr. Dmitry A. Novik
4621 Clark Pl., NW
Washington, D.C. 20007
tel: (202)-333-8956

September 12, 1995

Mr. Bill CLINTON
President of the United States of America
White House
1600 Pennsylvania Avenue, NW
Washington, D.C.

Dear Mr. President:

Please, would you give short attention to my White Paper "*Digital Stereo Compatible TV (DSC TV) - the future TV standard*" attached to this letter.

It is no doubt that TV is the most important and influential technological innovation of this century which has changed the whole public, economical, and political life of this century and forever.

The TV history knows only two turning-points, two TV Standards - the first in the prewar time for the black-and-white (grayscale) TV and the second NTSC TV Standard in the afterwar time for the color TV.

On the crossroad of centuries TV is also on the crossroad to a new TV Standard, TV Standard for XXI century adding to color TV a new dimension - 3D visualization, stereo TV.

I was lucky to find such a new dimension for TV technology and attached White Paper initially describes this invention for which I will not apply for a patent.

Please, make an honor to accept this invention as my debt of gratitude too great to repaid to America, its people, government at the most remarkable day for my wife and me when we have been sworn to be the new citizens united with the citizens of the United States of America.

The Government of the USA is absolutely free to use, implement, and exploit this invention hopefully for the prosperity and technological leadership of the USA. I will be blessed to participate to make such hope as a reality. Believe me, I will be fully cooperative in all efforts which will be selected as appropriate for success by according Agency of the Government of the USA.

With best wishes for success in your leadership, I'm

Sincerely yours,

Dmitry A. Novik

Copy

Dr. Dmitry A. Novik
4621 Clark Pl., NW
Washington, D.C. 20007
tel: (202)-333-8956

April 7, 1996

Mr. Lionel S. Johns
Associate Director for Technology
Executive Office of the President
Office of Science and Technology Policy
Washington, D.C. 20500

Dear Mr. Lionel S. Johns:

Beforehand thanks for your warm and respectful letter addressed to me January 18, 1996 with thankful appreciation of my intent to donate to the United States two of my innovative TV technologies which I was lucky to invent, and your expression of the warmest welcome to me and my wife to the United States. My wife and me really highly appreciate your such kind and generous expression.

In the same letter you informed me, Dr. Laura Philips, and Dr. Richard Smith (FCC) that you are forwarding my two White Papers "*Digital Stereo Compatible TV (DSC TV) - the Future TV Standard*" (7 pages) and "*Video publication Service - A New Interactive TV Public Service*" (7 pages) to Dr. Richard Smith at the Federal Communication Commission (FCC) "where he will examine them in greater detail. I am sure that he will be able to determine if the government has an appropriate role for your invention." and that in the time when television technology is undergoing dramatic changes "the FCC will be best able to understand and evaluate the potential contribution of your new TV technology".

I was then and still now completely agree with your well-grounded suggestions that FCC not only will be best able but has to be able to **understand** and **evaluate in greater detail** the potential contribution of my new TV technologies, and as the result of such understanding and evaluation will be able to **determine** if the government has an appropriate role for my inventions.

Unfortunately, the reality has become in a sharp contrast with your and my well-grounded suggestions and expectations.

It is the chronology of events after I and Dr. Smith have received your letter. Next day I received your letter I called to Dr. Smith. Ten days later Dr. Smith call me back. After short phone conversation Dr. Smith came to conclusion that we have to meet for detailed discussion later on and his secretary will inform me about the date of our meeting. His secretary informed me in advance that the meeting will be held in his office at FCC February 27, 1996 at 2:00 p.m. for one hour long meeting. There were at this meeting Dr. Smith and his two assistants Mr. Franca and Mr. Stillwell.

Dr. Smith and Mr. Franca said that they have not chance to read

carefully my papers and, therefore, asked to give them some lecture on the subjects of my White Paper concerning the Digital Stereo Compatible TV as the future TV standard. I gave such lecture on this subject for a half an hour. The next half an hour was spent in the constructive manner for answering on some reasonable and well motivated questions from Dr. Smith like how long it will take to develop the prototype for demonstration and which professional skills and funding are necessary for such development, the questions and answers about my professional profile, some general discussion on the history of TV technology, the proposal from the Grand Alliance of the HDTV standard with connection of my proposal.

As the result of this meeting Dr. Smith said that my papers need to be analyzed by his engineering staff more carefully, it will take additional two weeks and after such analysis will be completed we have to meet for another meeting. In order to help such analysis I gave to Mr. Franca additionally to my White Paper "Digital Stereo Compatible TV (DSC TV) - the Future TV Standard" (7 pages) my more detailed paper "Image (Video) Data Compression Technology for the Reduction of the Stereo redundancy and its Application for the Stereo Digital Images (Video) Acquisition, Recording, Transmission, and Visualization" (9 pages) and ensured Dr. Smith that he and his engineering staff feel free to call me anytime, day or night, with any questions on the subject and I am obliged to answer completely on these possible questions.

March 12, not having any calls from FCC staff at all, I called to Dr. Smith. He was out of country, so I called to Mr. Branca. Mr. Branca was not able to say me anything meaningful at all - he did not read carefully my paper and his engineering staff too, therefore, they had not any engineering questions. Next day I received a call from Mr. Bromery (FCC) with invitation to come to his office March 14 at 3:00 p.m. for a meeting. There were at this meeting Mr. Bromery and Mr. Pezak from FCC. Both of them did not read carefully my papers, so they asked again to repeat some lecture on the subject of my paper concerning stereo TV. No any questions were followed from Mr. Bromery and Mr. Pezak, they openly expressed no intention to go in any engineering details or analysis giving instead me some lecture on the legal order of the consideration of new standards. This meeting was absolutely unproductive from FCC and fully demonstrated that they (Mr. Bromery and Mr. Pezak) are just quite capable to lay away any engineering discussion on the engineering essence of the subject by purely bureaucratic unproductive cover up. Meeting was ended without any promising for follow up meeting in FCC. My follow up March 16 call to Mr. Branca did not help either.

So, I called again to Dr. Smith. He called me back March 20. I explained to him my impression of the unproductive meeting March 14 with his staff. Dr. Smith apologized and said that I need to understand some psychological barriers from his staff having spent more than 8 years on promotion of the HDTV standard, and a lot of money (~ 500 millions \$), investments involved and spent to prepare this standard. But he ensured me that, nevertheless, his staff will make the detailed engineering analysis of my papers and asked me

keep in touch. I again expressed to Dr. Smith my thorough devotion to help to speed up this analysis proposing my readiness to give some lectures, seminars to his engineering staff on the subject, repeated my obligation to answer on all engineering questions from anyone from FCC either by telephone or in the direct meetings.

Finally, not having any calls from FCC staff I called again to Dr. Smith. He called me back April 2. At this time Dr. Smith changed his mind - neither he nor anyone from his engineering staff has not any obligation to consider or analyze my papers, his previous intention to do it is no more than some courtesy to you personally as to the person signed the letter January 18, 1996 to me and to him. Nothing more. Period. I expressed to Dr. Smith my complete dissatisfaction with such Dr. Smith understanding of his professional, governmental duties as the Chief of the Office of Engineering and Technology of the FCC under your direct appeal from the Office of Science and Technology Policy of the Executive Office of the President, and said that he, therefore, push me to call you directly. I did it many times after this, left messages through your secretary, but the silent is as the response.

It is the reason why I decided finally to write this letter to you and send copy to Dr. Smith - by the way, it is necessary to have the record of this terrible saga started from my initial letter to the President of the United States of America dated September 12, 1995. I hope that my current letter will be answered in the constructive manner and I will be not obliged to complain or protest to anyone else.

Let's put for a direct record here - I salute professionally to many of the professional efforts from Grand Alliance, but in the same time my well professionally and historically grounded prediction is that the american people, customers will vote by their valets to reject the **incompatible** HDTV standard, that the endorsement and approval of the HDTV standard will be the Grand Mistake in the technology policy.

As one Russian proverb says - "it is impossible to be sweet forcefully", and it is really true. But I am also convinced, it is also true that the problems and issues of the technology policy, TV technologies and innovations, particularly, are clearly far beyond simply some courtesy, favor or sweetness, some personal relations.

Thanks for your time and consideration. I hope to read or to hear from you very soon.

Sincerely, I'm

Dmitry A. Novik

cc: Dr. Richard M. Smith

Dr. Dmitry A. Novik
4621 Clark Pl., NW
Washington, D.C. 20007
tel.: (202) 333-8956
e-mail: dnovik@CapAccess.org

March 3, 1996

The Editor
The Washington Post
1150 15th St., NW
Washington, D.C. 20071

Dear Editor:

Please, would you give an attention to read and decide to publish my **"Is it really the good deed?"** (two pages) attached to this letter as the reaction of publishing in The Washington Post, Friday, March 1, 1996 the editorial **"Mr. Murdoch's Good Deed"**.

I hope that your respectful newspaper proclaiming itself as an independent newspaper will be open to publish one more independent thought even it is opposite to your opinion about so important issue as how to use the powerful TV broadcasting for the profit and justice of the American democracy, its free national elections.

I hope that not only you but your readers too will be able to see that my opinion and constructive proposal is nonpartisan, nonracial, nondiscriminatory to anyone, the debates of such alternative will be profitable for American people, for democracy flourishing.

Sincerely,

Dmitry A. Novik

Is it really the good deed?

In its editorial "**Mr. Murdoch's Good Deed**" (Friday, March 1, 1996) The Washington Post enthusiastically endorsed Mr. Rupert Murdoch's present to give an hour of free air time to the major party presidential candidates this fall by his television network and challenging the other networks to provide candidates with extra free time.

But is it really a good deed independent who pioneered it and who endorsed it? Unfortunately, not at all. Quite opposite. It is the absolute wrong imitation of the solution, even as a partial solution, of the crucial national problem of the financing of the presidential races.

Why so? If it's true that there is not free lunch, then it is definitely true that there is not any free second of broadcasting, TV broadcasting especially, if to count the very high real price of TV broadcasting. The whole question is who paid for this "free" broadcasting and who lose and who profit from this "free" broadcasting.

So, who is a loser and who is a winner in this race of "free" broadcasting? The American electorate, American democracy will be the loser and additional profit from the final stage of the preelection campaign will go to owners of commercial TV networks presenting for "free" an air broadcasting time by their commercial TV networks.

As The Washington Post naively suggested "we can't see any objection to their selling commercial time at the beginning and end of such broadcasts, which might cover all or at least some of their (networks - D.N) losses".

It's exactly the point where I and hopefully public also see the wrong and danger deed. Why commercial networks are not able by commercials in the beginnings and ends of such broadcasts not to lose money but make money? Are their owners and managers some idealistic devoted philanthropists but not seeking financial profit and prosperity for their commercial companies? Or commercial TV networks will transform voluntarily themselves to the status of the nonprofit organizations for the time of these broadcasts? More than naive to believe. Quite opposite - such suggestion of fusing "free" broadcasts by frame of commercials will pump more influence of money in election campaign if commercial TV networks will transform the final preelection campaign into a new hot commodities market to buy, sell and resell. Money do not smell, right? But preelection campaign framed by this "free" broadcasts will publically smell very badly, it is able to make more harm to election campaign for really free democratic election than good.

So, what to do? Or nothing, leave as it is. It is also definitely wrong. Fortunately, solution is really in air, it is in the nature of the public ownership of national radio spectrum for air broadcasting, and, therefore, the solution is in the air time of **public broadcasting**. It's the **solution**.

It's the natural political beauty of the radio spectrum for TV broadcasting, particularly, as the media owned by nation, its taxpayers in comparison to other media like paper publishing or cable (telephone wire) TV which do suggest the property rights to

private commercial for profit enterprises which designed, developed and are maintaining such media tools.

Let's oust commercial TV networks completely from preelection and election events on-line broadcasting as only these events federally supported and financed by some portion from taxpayers money, and mandatory give equal prescribed primetime on public TV for the major party presidential candidates this fall and forever, give **public TV** broadcasting the **exclusive** rights to on-line broadcasting of all final preelection and election events by the local and national network of PBS TV stations.

More than this, if commercial TV networks would like to give analysis and comments of these events **after** they have been happen and on-line broadcasted by TV public broadcasting network, and major commercial TV networks undoubtedly would like to make such off-line analysis and comments on preelection and election events, then those commercial TV networks needs to pay lisencc fee to unique nonprofit broadcast organization CPB - Corporation for Public Broadcasting - for the rebroadcasting, or cable channel, satellite distribution of any fragments of recorded by PBS stations of CPB's alive, on-line broadcasting of these preelection and election events. These money paid to CPB needs to go for financial support of the programming and broadcasting activities of the network of local PBS stations nationwide. By the way it will free PBS local stations from bagging the money to support their activity which is so vital for public prosperity, prosperity of democracy, will ensure financial solvency of public broadcasting forever until the democratic nature of the USA will held free elections prescribed by the Constitution of the USA.

It is a room of time to prepare and manage to make it real. The Federal Election Commission needs to be proud to make such public service to American electorate, American citizen, the spirit and letters of the Constitution of the USA.

The freedom, the privelege to live in the free democratic society which garantees really free from anyone but taxpayers money influence elections is priceless.

Dmitry A. Novik
Washington, D.C.